

May 13, 2009

The Honorable Mark Meadows, Chairman
House Judiciary Committee

Re: HB 4835 and 4836

Dear Chairman Meadows,

Unity Michigan, a coalition of Lesbian Gay Bisexual Transgender (LGBT) and allied organizations, which include the ACLU of Michigan, Affirmations, Michigan Equality, SPICE, and Triangle Foundation supports HB-4836 (with sentencing provision 4835) which improves upon Michigan's current hate crimes law and has the support of both law enforcement and civil rights groups. Unity Michigan believes that Michigan communities must stand united against anyone engaging in hate-motivated crimes, and that Michigan law enforcement should be given the tools it needs to respond to such crimes.

This legislation passed in the House last session by an 81-18 margin. Clearly, hate crimes is not a partisan issue. The bills do not create "new" laws, but replace the current "ethnic intimidation" offense with one more accurately targeted at helping law enforcement respond to crimes motivated by hateful bias toward a particular segment of our society.

By requiring that the prosecutor must prove that an assault or property crime was committed before alleging that the defendant's motive was hate or bias, the legislation will ensure that no person can ever be prosecuted for simply expressing their opinion, whether it be in a sermon or on a street corner.

Importantly, HB 4836 recognizes that existing Michigan law omits some groups that have disproportionately been the targets of hate crimes. It adds crimes motivated by disability, gender (including identity and expression), sexual orientation, and those targeting veterans. The bill identifies all targeted groups neutrally, so the only question is whether the crime was based on a biased hatred for a particular targeted group.

The most critical aspect of this legislation is that it recognizes that a crime committed against a victim because of who they are or who they represent is not only against that victim, but also against society as a whole. Such crimes are intended to intimidate and to divide our communities and, because they are uniquely destructive, must be treated with a heightened seriousness.

For these reasons, Unity Michigan and its member organizations stand together in support of the passage of HB 4836 and HB 4835.

Unity Michigan:

Triangle Foundation SPICE Michigan Equality Affirmations